

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Judith Grigal,

Civil 05-2956 MJD/FLN

Plaintiff,

v.

O R D E R

Jo Anne B. Barnhart,
Commissioner of Social Security,

Defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated November 27, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Remand for Consideration of New and Material Evidence [#16] is **DENIED**;
2. Plaintiff's Motion for Summary Judgment [# 8] is **DENIED**;
3. Defendant's Motion for Summary Judgment [# 12] is **DENIED**; and
4. The case is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with Magistrate Judge Noel's Report and Recommendation.

DATED: December 7, 2006
at Minneapolis, Minnesota

s/Michael J. Davis
JUDGE MICHAEL J. DAVIS
United States District Court